



City of New Orleans
Mayor LaToya Cantrell

Board of Zoning Adjustments

Final Agenda

March 7, 2022

MEETING INFORMATION

LOCATION

Livestream at:
http://cityofno.granicus.com/viewPublisher.php?view_id=2

TIME

10:00 a.m.

BOARD MEMBERS

Candice M. Forest – Chair
Todd C. James – Vice Chair
Tamara Agins
José Alvarez
Jaime Ramiro Diaz
Alfonso Gonzalez II
Matthew Rufo

The general public is not permitted to speak with the members personally.

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The Board of Zoning Adjustments hereby certifies that it will convene a meeting on Monday, March 7, 2022 electronically via Zoom in accordance with the provisions of La. R.S. 42:17.1(A)(2)(a)-(d).
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The Board of Zoning Adjustments consists of seven citizen members appointed by the Mayor and approved by the City Council. The City Charter grants the Board the power to permit exceptions to or variations from the City’s zoning regulations and to hear decision appeals from the Director of the Department of Safety and Permits in accordance with the principles, conditions, and procedures set forth in Article 4 of the City’s Comprehensive Zoning Ordinance. The decision made by the Board will be provided in the form of a resolution. The resolution shall be produced by **March 17, 2022**.

GENERAL RULES OF ORDER

Robert’s Rules of Order govern the conduct of the meeting. In lieu of spoken public comment, any member of the public may provide written comment via a digital speaker card not to exceed two (2) minutes on any matter before the Board. The digital speaker card will be made available at the start of the meeting and will close at the end of the recess. The digital speaker card will be available at the following link:

<https://forms.gle/F99o2xgbFt6bsHBa7>

During the Public Comment portion of the meeting, a moderator will read into the record all comments pertaining to that item that have been submitted in accordance with these rules. Comments will be read aloud in a normal speaking voice. The moderator will discontinue reading a comment once it exceeds two (2) minutes.

A. Call to Order, Roll Call, Adoption of Minutes, Communications, and Reading of Hearing Rules

Special Public Hearing Rules for Board of Zoning Adjustments Hearings held via Video Conference

- A. **Order of Business.** The order of business at the hearing shall be as follows:
- a. Call to order and roll call, with recording of members present.
 - b. Approval of Minutes
 - c. Reading and Adoption of the Hearing Rules
 - d. Presentation of Dockets.
 - i. Staff Presentation
 - ii. Applicant Presentation
 - iii. Questions from Members
 - e. Recess for 30 minutes
 - f. Consideration of Dockets
 - i. Public Comment
 - ii. Rebuttal by Applicant
 - iii. Questions from Members
 - iv. Voting
 - g. Adjournment
- B. **Presentation of Dockets.** The order of business for each docket shall be as follows:
- a. **Presentation by the City Planning Commission staff or the Department of Safety and Permits staff;**
 - b. **Presentation by the Applicant or their representative;** The appellant or applicant may appear on their behalf or be represented by a duly authorized agent. Only one representative may speak on behalf of a request and must pre-register with the staff of the City Planning Commission. Other representatives or speakers may sign up to provide comments during the public comment portion of the meeting. The applicant shall be allowed a maximum of five (5) minutes.
 - c. **Questions from Members.** The members have an opportunity to ask questions of the staff or applicant.
- C. **Recess.** The Board shall take a 30-minute recess to allow members of the public to submit comments.
- D. **Public Comment.**
- a. **Rules.** Only written public comment will be allowed. Live public comment will not be allowed. No member of the public may submit more than one written comment per agenda item.
 - b. **Time allowed for public comment.** The public comment form will be made available at the start of the meeting and will close at the end of the 30-minute recess.
 - c. **Form.** Public comments must be submitted electronically on the form provided by the City Planning Commission. Any comment missing this information will not be read aloud. Each submission must contain:
 - i. The commenter's first and last name,
 - ii. The commenter's address,
 - iii. Whether the commenter is being paid in connection with his or her comments,
 - iv. The agenda item
 - d. **Reading of Public Comments.** A moderator will read into the record all comments pertaining to that item that have been submitted in accordance with these rules.

Comments will be read aloud in a normal speaking voice. The moderator will discontinue reading a comment once it exceeds two (2) minutes.

- E. **Rebuttal by Applicant.** Following the public comment period, if there is opposition the authorized representative of the application is allowed a rebuttal not to exceed five (5) minutes.
- F. **Questions from Members.** Following the public comment and rebuttal, the members have an opportunity to ask questions of the staff or applicant.
- G. **Voting.**
 - a. **Making a motion.** The member making a motion shall clearly state their name when making a motion. For example, “I, (insert name), move to approve/deny/ the request.”
 - b. **Seconding a motion.** The member seconding a motion shall clearly state their name when seconding the motion. For example, “I, (insert name), second the motion made by (other member).”
 - c. **Statement by Chair.** The chair will restate the motion, confirming who made and seconded the motion.
 - d. **Voting.** The chair will request a verbal vote from each member by roll call. Each member will indicate “Yea” to vote in support of the motion, or “Nay” to vote in opposition.

B. Unfinished Business – Variances**Item 1 – Docket Number: 004-22****WITHDRAWN**

Applicant or Agent: Gregory Landry, Shannon Smiley
Property Location: 9301 River Road **Zip:** 70131
Bounding Streets: Mississippi River Rd., Delacroix Rd., Willow Rd., Jack Wyman Dr.
Zoning District: R-RE Rural Residential Estate District
Historic District: N/A **Planning District:** 13
Existing Use: Vacant Lot **Square Number:** 1
Proposed Use: Single-Family Residence **Lot Number:** 25-27
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request: This request is for a variance from the provisions of Article 8, Section 8.3 (Table 8-2) of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with excessive building height.

Requested Waiver:**Article 8, Section 8.3 (Table 8-2) – Maximum Building Height**

Permitted: 35 ft Proposed: 40 ft, 3 3/16 in Waiver: 5 ft, 3 3/16 in

C. New Business – Variances**Item 2 – Docket Number: 009-22**

Applicant or Agent: Encore Learning, Mathes Brierre Architects
Property Location: 2518 Arts Street **Zip:** 70117
Bounding Streets: Law St., Arts St., N. Dorgenois St., Music St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 7
Existing Use: Educational Facility, Primary **Square Number:** 1383
Proposed Use: Educational Facility, Primary **Lot Number:** N/A
Project Planner: Sabine Lebailleux (selebailleux@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance to permit an addition to an existing primary educational facility resulting in insufficient front yard setbacks and insufficient front yard build-to lines.

Requested Waivers:**Article 11, Section 11.3.A.1 (Table 11-2A) – Front Yard Setback (N. Dorgenois Street)**

Required: 20 ft Proposed: 0 ft Waiver: 20 ft

Article 11, Section 11.3.A.1 (Table 11-2A) – Front Yard Setback (Law Street)

Required: 25.15 ft Proposed: 0 ft Waiver: 25.15 ft

Article 11, Section 11.3.A.2 – Front Yard Build-To Line (N. Dorgenois Street)

Required: 20 ft Proposed: 0 ft Waiver: 20 ft

Article 11, Section 11.3.A.2 – Front Yard Build-To Line (Law Street)

Required: 25.15 ft Proposed: 0 ft Waiver: 25.15 ft

Item 3 – Docket Number: 010-22

Applicant or Agent: David A. Leboeuf, Jr.
Property Location: 4144-4146 Bienville Avenue **Zip:** 70119
Bounding Streets: Bienville St., David St., Iberville St., N. Solomon St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Mid-City **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 557
Proposed Use: Vacant Lot **Lot Number:** 10A1A
Project Planner: Larry Massey (lmmassey@nola.gov)

Request: This request is for variances from the provisions of Article 21, Section 21.6.N.1 of the Comprehensive Zoning Ordinance to permit the construction of a fence with excessive height (**AFTER THE FACT**).

Requested Waivers:

Article 21, Section 21.6.N.1.a – Fence Height
Permitted: 7 ft Provided: 8 ft Waiver: 1 ft



Item 4 – Docket Number: 011-22

Applicant or Agent: Home by Hand Inc., Colin Felsman
Property Location: 2209 St. Bernard Avenue **Zip:** 70119
Bounding Streets: St. Benard Ave., N. Tonti St., George Nick Connor Dr., N Miro St.
Zoning District: HU-B1 Historic Urban Neighborhood Business District
Historic District: N/A **Planning District:** 4
Existing Use: Vacant Lot **Square Number:** 1182
Proposed Use: Single-Family Residence **Lot Number:** A-1
Project Planner: Rachael Berg (rberg@nola.gov)

Request: This request is for a variance from the provisions of Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance to permit the construction of a single-family residence with insufficient off-street parking.

Requested Waiver:

Article 22, Section 22.4.A (Table 22-1) – Off-Street Vehicle and Bicycle Parking Requirements
Required: 1 space Proposed: 0 spaces Waiver: 1 space



Item 5 – Docket Number: 012-22

Applicant or Agent: Richard and Amanda Albert
Property Location: 722 Washington Avenue **Zip:** 70115
Bounding Streets: Washington Ave., Chippewa St., Sixth St., Annunciation St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Irish Channel **Planning District:** 2
Existing Use: Single-Family Residence **Square Number:** 81
Proposed Use: Two-Family Residence **Lot Number:** Pt. Lot 20
Project Planner: Brennan Walters (Brennan.Walters@nola.gov)

Request: This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance to permit the construction of a second principal structure with insufficient interior side yard setback.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Interior Side Yard Setback (Annunciation Street Side)

Required: 3 ft Proposed: 0 ft Waiver: 3 ft



Item 6 – Docket Number: 013-22

Applicant or Agent: Backyard Makeover LLC, Thomas DesOrmeaux
Property Location: 412 New Orleans-Hammond Highway **Zip:** 70124
Bounding Streets: N.O.-Hammond Hwy., Fleur de Lis Dr., Hay Pl., Roy St.
Zoning District: S-LRS1 Suburban Lakeview Single-Family Residential District
Historic District: N/A **Planning District:** 5
Existing Use: Vacant Lot **Square Number:** 25
Proposed Use: Single-Family Residence **Lot Number:** F
Project Planner: Valerie Goines (valerie.goines@nola.gov)

Request: This request is for variances from the provisions of Article 22, Section 22.11.B.1 of the Comprehensive Zoning Ordinance to permit a circular drive with a parking space located in the required minimum front yard on a lot with insufficient width and more than one curb cut.

Requested Waivers:

Article 22, Section 22.11.B.1 – Curb Cuts

Permitted: 1 curb cut Proposed: 2 curb cuts Waiver: 1 curb cut

Article 22, Section 22.11.B.1.2 – Circular Driveway

Required: No circular driveway

Proposed: Circular driveway

Waiver: Circular driveway

Article 22, Section 22.11.B.1.a.i. – Curb Cuts (Circular Drive – Parking Space in Front Yard)

Permitted: No circular drive in front yard

Proposed: Circular drive in front yard

Waiver: Circular drive in front yard

Article 22, Section 22.11.B.1.a.iii. – Curb Cuts (Circular Drive – Lot Width)

Required: 50 ft Proposed: 40 ft Waiver: 10 ft

Item 7 – Docket Number: 014-22

Applicant or Agent: Whitman C. Wilcox, Rochelle Wilcox, Concordia
Property Location: 2505 Washington Avenue, 2725 Freret Street **Zip:** 70113
Bounding Streets: Freret St., Washington Ave., S. Robertson St., Fourth St.
Zoning District: HU-RM1 Historic Urban Multi-Family Residential District
Historic District: N/A **Planning District:** 2
Existing Use: Vacant Lot **Square Number:** 358
Proposed Use: Child Care Center **Lot Number:** 1-A-1
Project Planner: Emily Ramírez Hernández (erhernandez@nola.gov)

Request: This request is for a variance from the provisions of Article 22, Section 22.4.A (Table 22-1) of the Comprehensive Zoning Ordinance to permit the construction of a child care center with insufficient off-street parking.

Requested Waiver:

Article 22, Section 22.4.A (Table 22-1) – Off Street Vehicle and Bicycle Parking Requirements

Required: 23 spaces Proposed: 0 spaces Waiver: 23 spaces



Item 8 – Docket Number: 015-22

Applicant or Agent: 4046 Chef LLC, Ahmed Kahn, Raymond C. Bergeron
Property Location: 4046-4048 Chef Menteur Highway **Zip:** 70126
Bounding Streets: Chef Menteur Hwy., Press Dr., Old Gentilly Rd., Iroquois St.
Zoning District: C-2 Auto-Oriented Commercial **Planning District:** 7
Historic District: N/A **Square Number:** Portion of St.
Existing Use: Gas Station Geme and Hopkins Plantations
Proposed Use: Gas Station **Lot Number:** N/A
Project Planner: Valerie McMillan (valerie.mcmillan@nola.gov)

Request: This request is for variances from the provisions of Article 15, Section 15.3.A.1 (Table 15-2) and Article 15, Section 15.3.A.2 of the Comprehensive Zoning Ordinance to permit the construction of a gas station with insufficient front yard setback and insufficient front yard build-to line.

Requested Waivers:

Article 15, Section 15.3.A.1 (Table 15-2) – Front Yard Setback

Required: 14 ft Proposed: 3 ft, 6 in Waiver: 10 ft, 6 in

Article 15, Section 15.3.A.2 – Front Yard Build-To Line Requirement

Required: 14 ft Proposed: 3 ft, 6 in Waiver: 10 ft, 6 in



Item 9 – Docket Number: 016-22

Applicant or Agent: Angel Davis
Property Location: 1839 Louisa Street **Zip:** 70117
Bounding Streets: Louisa St., N. Prieur St., Piety St., N. Roman St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 7
Existing Use: Single-Family Residence **Square Number:** 866
Proposed Use: Single-Family Residence **Lot Number:** 1-A-1 (Proposed)
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance, in conjunction with SD002-22, to permit the creation of a lot with insufficient lot area and insufficient lot depth.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Area
 Required: 2,250 ft² Proposed: 2,200.99 ft² Waiver 49.01 ft²
Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Depth
 Required: 90 ft Provided: 71 ft Waiver: 19 ft



Item 10 – Docket Number: 017-22

Applicant or Agent: Angel Davis
Property Location: 1839 Louisa Street **Zip:** 70117
Bounding Streets: Louisa St., N. Prieur St., Piety St., N. Roman St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: N/A **Planning District:** 7
Existing Use: Vacant Lot **Square Number:** 866
Proposed Use: Single-Family Residence **Lot Number:** 1-A-2 (Proposed)
Project Planner: Joseph Colón (jacolon@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance, in conjunction with SD002-22, to permit the creation of a lot with insufficient lot area and insufficient lot depth.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Area
 Required: 2,250 ft² Proposed: 2,200.99 ft² Waiver 49.01 ft²
Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Depth
 Required: 90 ft Provided: 71 ft Waiver: 19 ft



Item 11 – Docket Number: 018-22

Applicant or Agent: David and Christy Breitkreuz
Property Location: 5000 Laurel Street, 632 Robert Street **Zip:** 70115
Bounding Streets: Robert St., Annunciation St., Soniat St., Laurel St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Single-Family Residence **Square Number:** 138
Proposed Use: Single-Family Residence **Lot Number:** B1 (Proposed)
Project Planner: Robin Jones (rcjones@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 160-21, to permit the creation of a lot with insufficient lot depth and insufficient rear yard setback.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Depth
 Required: 90 ft Provided: 73.26 ft Waiver: 16.74 ft
Article 11, Section 11.3.A.1 (Table 11-2A) – Rear Yard
 Required: 14.65 ft Proposed: 5 ft Waiver: 9.65 ft



Item 12- Docket Number: 019-22

Applicant or Agent: David and Christy Breitkreuz
Property Location: 5000 Laurel Street, 632 Robert Street **Zip:** 70115
Bounding Streets: Laurel St., Robert St., Annunciation St., Soniat St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Uptown **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 138
Proposed Use: Vacant Lot **Lot Number:** Proposed Lot B2
Project Planner: Robin Jones (rcjones@nola.gov)

Request: This request is for variances from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A) of the Comprehensive Zoning Ordinance, in conjunction with Subdivision Docket 160-21, to permit the creation of a lot with insufficient lot area and insufficient lot depth.

Requested Waivers:

Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Area
 Required: 2,250 ft² Proposed: 2,006.88 ft² Waiver: 243.12 ft²
Article 11, Section 11.3.A.1 (Table 11-2A) – Lot Depth
 Required: 90 ft Proposed: 73.04 ft Waiver: 16.96 ft



Item 13 – Docket Number: 020-22

Applicant or Agent: 1716 Gen Ogden, LLC, Sherman Strategies, LLC
Property Location: 1716-1718 General Ogden Street **Zip:** 70118
Bounding Streets: Gen. Ogden St., Green St., Holly Grove St., Hickory St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 233
Proposed Use: Single-Family Residence **Lot Number:** 23A1 (Proposed)
Project Planner: Aspen Nero (asnero@nola.gov)

Request: This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A), in conjunction with Subdivision Docket 161-21, to permit the creation of a lot with insufficient lot width.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Width

Required: 30 ft Proposed: 27.9 ft Waiver: 2.1 ft



Item 14 – Docket Number: 021-22

Applicant or Agent: 1716 Gen Ogden, LLC, Sherman Strategies, LLC
Property Location: 1716-1718 General Ogden Street **Zip:** 70118
Bounding Streets: Gen. Ogden St., Green St., Holly Grove St., Hickory St.
Zoning District: HU-RD2 Historic Urban Two-Family Residential District
Historic District: Carrollton **Planning District:** 3
Existing Use: Vacant Lot **Square Number:** 233
Proposed Use: Single-Family Residence **Lot Number:** 23A2 (Proposed)
Project Planner: Aspen Nero (asnero@nola.gov)

Request: This request is for a variance from the provisions of Article 11, Section 11.3.A.1 (Table 11-2A), in conjunction with Subdivision Docket 161-21, to permit the creation of a lot with insufficient lot width.

Requested Waiver:

Article 11, Section 11.3.A.1 (Table 11-2A) – Minimum Lot Width

Required: 30 ft Proposed: 27.9 ft Waiver: 2.1 ft

D. Adjournment